

Application Serial No. 10/821,262 Attorney Docket No. 21798.NP
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### REMARKS

Applicant thanks the Examiner for consideration of the subject patent application. In the office action mailed October 31, 2005, Claims 1-40 were pending, and made subject to restriction requirement under 35 U.S.C. § 121. Particularly, the Examiner indicated the existence of three patentably distinct inventions in the claims as follows: 1) Invention I constituting Claims 1-12, drawn to a method of controlling serum lipid concentrations in a subject classified in class 514, subclass 824 or class 514, subclass 783; 2) Invention II constituting Claims 13-31, drawn to a method of controlling the body weight of a subject, classified in class 514, subclass 909, and 3) Invention III constituting Claims 32-40, drawn to a sea buckthorn composition classified in class 424, subclass 725.

By this election, Applicant elects Invention I constituting Claims 1-12 drawn to a method of controlling serum lipid concentrations in a subject. Therefore, pursuant to the present election of Invention I, Claims 1-12 remain pending for consideration in the present application, and Claims 13-40 are withdrawn.

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### CONCLUSION

If any impediment remains to examination after consideration of the above-recited remarks, which could be removed during a telephone interview, the Examiner is invited to telephone the undersigned attorney, or in his absence, Mr. Wayne Western of this office at (801) 566-6633 so that such issues may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 20-0100.

DATED this 30th day of ~~June~~ November, 2005.

Respectfully submitted,

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